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10/751,616	01/05/2004	Richard A. Chapman	9407-13	2422

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EXAMINER

ULRICH, NICHOLAS S

ART UNIT	PAPER NUMBER
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2173

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06/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/751,616

Applicant(s)

CHAPMAN, RICHARD A.

Examiner

Nicholas S. Ulrich

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/05/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-25 are pending.
2. The information disclosure statement (IDS) submitted on 1/05/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

3. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claim 2 is objected to because of the following informalities: A colon should be placed after comprises. Appropriate correction is required.
5. Claim 13 is objected to because of the following informalities: Improper antecedent basis. Line 7 recites "the navigation assist module". It is understood by the

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examiner that this should read "the navigation assist circuit". Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 23 and 24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The specification defines computer readable medium as containing transmission media. Transmission media (signals) do not constitute patentable subject matter under 35 U.S.C. 101 because it does not fall within one of the four categories of invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-9, 13-18, and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Mumick et al. (US 6983307 B2).

In regard to **claim 1**, Mumick discloses a method of assisting navigation of a first browser executing on a first data processing system, comprising:

navigating, responsive to a second browser executing on a second data processing system, to identify information to be displayed using the first browser on the first data processing system (*Column 11 lines 24-29: Mumick discusses capturing state information of a browser based on predefined events of the browser. Therefore the state information is determined based on navigating within the browser*);

receiving, from the second browser, a request for an identifier to associate with the identified information (*Column 11 lines 37-45, Column 11 lines 57-60, and Column 9 lines 9-13 : The request is the form of a "triggering event". The identifier is inherent due to the fact that state information is stored in a state manager. For the computer to interpret that data stored within the state manager, there must be some kind of label or identifier attached to the state information. The state information is stored in an event record*);

dynamically generating an identifier responsive to the request for an identifier (*Column 8 line 65 - Column 9 line 20: Based on events occurring within the browser, event record is dynamically created from an event-recording script*);

and associating the dynamically generated identifier with the identified information to be displayed using the first browser such that the identified information

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may be retrieved using the identifier (*Column 8 line 65 - Column 9 line 20 and Column 9 lines 33-35: Based on events occurring within the browser, the event record is dynamically created from an event-recording script. Therefore all identified information is included within the identifier. Event record is used to synchronize browsers to the same state*).

In regard to **claim 2**, Mumick discloses wherein navigating, responsive to a second browser executing on a second data processing system, to identify information to be displayed using the first browser on the first data processing system comprises navigating, utilizing a second browser executing on a second data processing system, to identify information to be displayed using the first browser on the first data processing system (*abstract lines 3-8*).

In regard to **claim 3**, Mumick discloses further comprising:

providing the identifier to the first browser (*Column 9 lines 38-40: first browser sends event record to second browser*);

and accessing the information with the first browser using the dynamically generated identifier (*Column 9 lines 38-40: second browser may step through recorded events*).

In regard to **claim 4**, Mumick discloses wherein navigating to identify information comprises, establishing a browser context of a session of the second browser, wherein

the established context is established by navigating to the information using the second browser (*Column 8 lines 47-64*).

In regard to **claim 5**, Mumick discloses wherein associating the identifier with the identified information comprises associating the identifier with at least a portion of the browser context sufficient to access the identified information (*Column 9 lines 8-13: Browser context is stored in the identifier, event record*).

In regard to **claim 6**, Mumick discloses wherein accessing the information with the first browser using the dynamically generated identifier comprises:

locating the at least a portion of the browser context utilizing the identifier (*Column 9 lines 38-40: first browser sends event record to second browser*);

and incorporating the located at least a portion of the browser context in a browser context of a session of the first browser so as to provide the information to the first browser identifier (*Column 9 lines 38-40: second browser may step through recorded events*).

In regard to **claim 7**, Mumick discloses wherein associating the identifier with at least a portion of the browser context sufficient to access the identified information comprises:

copying the browser context (*Column 9 lines 8-13: event-recording script copies events generated in the browser*);

and associating the copy of the browser context with the dynamically generated identifier (*Column 9 lines 8-13: memorializing the events in the event record*).

In regard to **claim 8**, Mumick discloses wherein associating the identifier with at least a portion of the browser context sufficient to access the identified information comprises:

extracting context information from the browser context (*Column 9 lines 8-13: event-recording script extracts events generated in the browser*);

and associating the extracted information of the browser context with the dynamically generated identifier (*Column 9 lines 8-13: memorializing the events in the event record*).

In regard to **claim 9**, Mumick discloses wherein the identified information comprises a web page (*Claim 12*).

In regard to **claim 13**, Mumick discloses a system for assisted browser navigation, comprising:

an identifier repository configured to store identifiers and an association with information retrievable by a browser (*Column 11 lines 57-60: State manager stores the state information*);

and a navigation assist circuit configured to (*Fig 4 element 402*)

receive a request for an identifier from a first browser (*Column 11 lines 37-45, Column 11 lines 57-60, and Column 9 lines 9-13 : The request is the form of a "triggering event". The identifier is inherent due to the fact that state information is stored in a state manager. For the computer to interpret that data stored within the state manager, there must be some kind of label or identifier attached to the state information. The state information is stored in an event record*) ;

dynamically generate an identifier in response to the received request (*Column 8 line 65 - Column 9 line 20: Based on events occurring within the browser, event record is dynamically created from an event-recording script*);

associate the identifier with information to be retrieved (*Column 9 lines 8-13*)

and store the identifier and association in the repository (*Column 9 lines 67: state information is stored in data store within state manager*),
wherein the navigation assist module is further configured to

receive an identifier from a second browser (*Column 9 lines 38-39*)

and use the received identifier to provide the information associated with the received identifier to a browser (*Column 9 lines 39-40*).

In regard to **claim 14**, Mumick discloses wherein the navigation assist circuit is further configured to extract context information from a browser context of a session of

the first browser and associate the extracted context information with the dynamically generated identifier (*Column 9 lines 8-13*).

In regard to **claim 15**, Mumick discloses wherein the navigation assist circuit is further configured to store the extracted context information in the identifier repository (*Column 9 lines 67: state information is stored in data store within state manager*).

In regard to **claim 16**, Mumick discloses wherein the navigation assist circuit is further configured to incorporate the extracted context information in a browser context associated with the second browser, responsive to receiving the dynamically generated identifier from the second browser (*Column 9 lines 8-13*).

In regard to **claim 17**, Mumick discloses wherein the extracted context information comprises a copy of the browser context of a session of the first browser (*Column 11 lines 9-11: deposit a record of its state directly*).

In regard to **claim 18**, Mumick discloses wherein the information to be retrieved comprises a web page (*Claim 12*).

In regard to **claim 22**, System claim 22 corresponds generally to method claim 1, respectively, and recites similar features in System form, and therefore is rejected under the same rationale.

In regard to **claim 23**, computer readable medium claim 23 corresponds generally to method claim 1, respectively, and recites similar features in computer readable form, and therefore is rejected under the same rationale.

In regard to **claim 24**, computer readable medium claim 24 corresponds generally to system claim 13, respectively, and recites similar features in computer readable form, and therefore is rejected under the same rationale.

In regard to **claim 25**, Mumick discloses a method of assisted browser navigation, comprising:

receiving a request for an identifier from a first browser (*Column 9 lines 38-39*).

dynamically generating an identifier in response to the received request (*Column 8 line 65 - Column 9 line 20: Based on events occurring within the browser, event record is dynamically created from an event-recording script*);

associating the identifier with information to be retrieved (*Column 8 line 65 - Column 9 line 20: Based on events occurring within the browser, event record is dynamically created from an event-recording script*);

storing the identifier and association in a repository (*Column 9 lines 67: state information is stored in data store within state manager*),

receiving the identifier from a second browser (*Column 9 lines 38-40: first browser sends event record to second browser*);

using the received identifier to provide the information associated with the received identifier stored in the repository to the second browser (*Column 9 lines 38-40: second browser may step through recorded events*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 10-11 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mumick et al. (US 6983307 B2) in view of Masse et al. (US 5596721).

In regard to **claims 10-11 and 19-20**, Mumick fails to explicitly disclose wherein the dynamically generated identifier is associated with the identified information for a predefined time period, the method further comprising invalidating the association of the dynamically generated identifier and the identified information after expiration of the predefined time period

and wherein the dynamically generated identifier is associated with the identified information until the identifier is used to access the identified information the method

further comprising invalidating the association of the dynamically generated identifier and the identified information after the identifier is used to access the identified information.

However, Masse discloses wherein the dynamically generated identifier is associated with the identified information for a predefined time period, the method further comprising invalidating the association of the dynamically generated identifier and the identified information after expiration of the predefined time period (*Claim 6: invalidating any input after the predetermined time period*).

and wherein the dynamically generated identifier is associated with the identified information until the identifier is used to access the identified information the method further comprising invalidating the association of the dynamically generated identifier and the identified information after the identifier is used to access the identified information (*Claim 6: input invalidation after transmission of the data*).

Mumick and Masse are analogous art because they are both from the same field of endeavor of network computing and also displaying similar content on two processor based systems. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Masse to Mumick invention because one of ordinary skill in the art would be motivated to invalidate data once a predetermined time has passed or that data has been accessed. Data being used on a per session basis has no need to be saved for long periods of time. Those skilled in the art at the time of the invention would have been motivated to somehow

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delete or invalidate data that is no longer going to be used by the processor based system. The motivation would be to clear system resources for later browser sessions.

9. Claims **12** and **21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mumick et al. (US 6983307 B2) in view of Balasuriya (Us 2003/0140113 A1).

In regard to **claims 12 and 21**, Mumick fails to disclose wherein the dynamically generated identifier is associated with the identified information for a duration of a session of the first browser the method further comprising invalidating the association of the dynamically generated identifier and the identified information after termination of the session of the first browser.

However, Balasuriya discloses wherein the dynamically generated identifier is associated with the identified information for a duration of a session of the first browser the method further comprising invalidating the association of the dynamically generated identifier and the identified information after termination of the session of the first browser (*Paragraph 0056*).

Mumick and Balasuriya are analogous art because they are both from the same field of endeavor of multi-modal systems. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Balasuriya to Mumick invention because one of ordinary skill in the art would be motivated to invalidate or delete identifiers used during a per session basis. The motivation would be to clear system resources for later browser sessions.

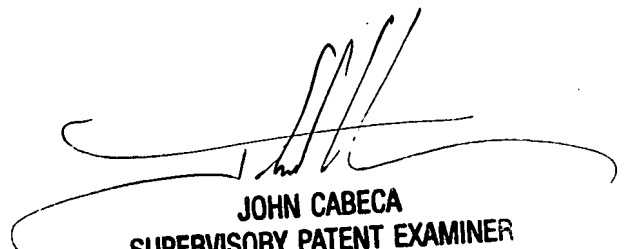
Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas S. Ulrich whose telephone number is 571-270-1397. The examiner can normally be reached on M-TH 9:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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